



WEST VIRGINIA
ALCOHOL BEVERAGE CONTROL ADMINISTRATION
FREDRIC L. WOOTON, COMMISSIONER

July 29, 2021

VIA EMAIL to: mlewis@wvsos.com

Mac Warner, The Honorable Secretary of State,
Secretary of State's Office – Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

Re: West Virginia Code of State Rules
– Administrative Notice for 176 CSR 1 §6.3.h.1.A.

Dear Secretary of State Warner:

The Honorable Governor of the State of West Virginia, Jim Justice, has declared a State of Emergency on March 16, 2020, to address the emergency created by the worldwide COVID-19 pandemic, or more commonly known as the novel coronavirus.

On April 23, 2020, the WVABCA in response to the Governor's Executive Order (EO) No. 2-20 issued on March 18, 2020, temporarily suspended the above-mentioned rule pursuant to the Governor's executive orders.

The West Virginia Alcohol Beverage Control Administration (WVABCA) recognizes that the ability to adjust pricing provided some needed relief to wholesalers but the WVABCA Beer Division advises me that the last price adjustment made by distributor pursuant to this temporary suspension was approximately eight months ago. In 2021, the Governor and the Legislature passed HB 2025 which codified some new licenses and new requirements to assist licensees.

Furthermore, the Governor's EO 12-21 terminated as moot certain executive orders including, EO 2-20, among others. Thus, the WVABCA is terminating the temporary rule suspension for 176 CSR 1 §6.3.h.1.A.

If you have any further questions, please feel free to contact the WVABCA at 304-356-5500 or toll free at 800-642-8202, or via email at the appropriate contact noted on the WVABCA's website (www.abca.wv.gov).

Sincerely,

Fredric L. Wooton
Commissioner

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SECRETARY OF STATE